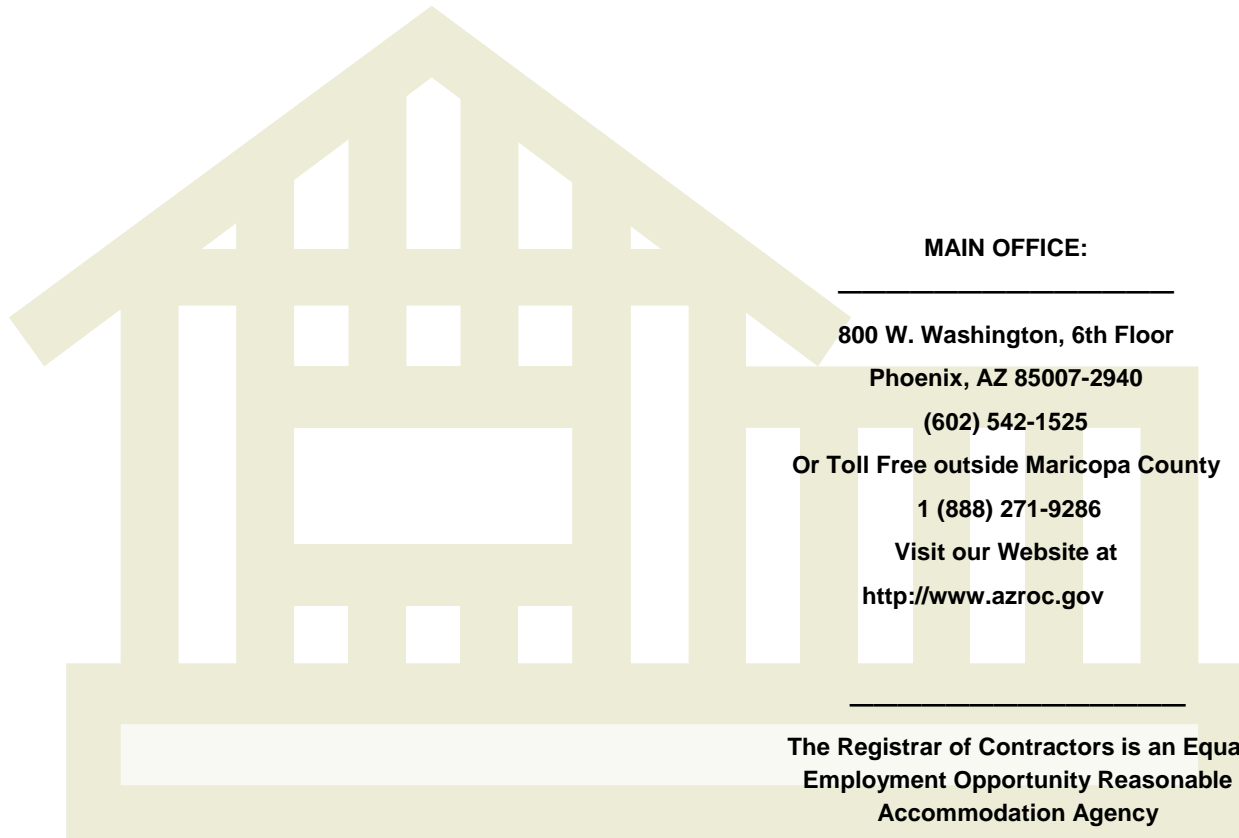


Additional Information

For additional information about residential construction dispute resolution and financial recovery options, including the Residential Contractor's Recovery Fund, visit our Website or call our office and request the booklet

"Handling a Dispute in Residential Construction."



A Consumer's Guide...

Filing Construction Complaints



STATE REGISTRAR OF CONTRACTORS

The Registrar of Contractors is an Arizona state agency. Our purpose is to promote quality construction by Arizona contractors through a licensing and regulatory system designed to protect the health, safety and welfare of the public.

A “contractor” is any individual or firm who offers services to improve residential or commercial real property. Some of the more common services include: homebuilding; remodeling; room additions; swimming pool construction; painting; roofing; landscaping; plumbing; and electrical, heating and air conditioning work.

Filing a Complaint

The Registrar of Contractors can handle problems you may have with licensed contractors. If you believe a contractor has done something wrong or has violated the law, you can file a complaint. Here are some of the common problems/complaints:

- Contractor failed to fulfill the terms of an agreement.
- Construction or workmanship is poor,
- Contractor abandoned contract or refused to perform.
- Contractor failed to pay subcontractors/material suppliers.
- Contractor violated building codes or failed to comply with safety or labor laws.
- Contractor departed from project plans or specifications.
- Contractor used false, misleading or deceptive advertising.

In addition to helping you with the illegal or inappropriate actions of a licensed contractor, we also

investigate complaints involving unlicensed persons. Contracting without a license in a Class I misdemeanor punishable by a fine of up to \$2,500 and/or six months in jail. One exception, however, applies to work where the materials and labor are less than \$750, no building permit is required and the work is not part of a larger project. Cases other than these are investigated and referred to the city or county prosecutor. Remember, if you contract with an unlicensed individual and are not satisfied with the work, the Registrar of Contractors cannot require corrective repairs or restitution.

If you wish to file a complaint, you can obtain a standard complaint form by writing or calling our office or it is also available and may be downloaded from our website, www.azroc.gov. Complete the complaint form, attach copies of any contracts, canceled checks or other pertinent information and send them to the nearest office. Office locations are listed on our website or you can call the number listed on the back of this pamphlet.

How Your Complaint is Handled

Each written complaint is reviewed to determine if it falls within the Registrar of Contractors’ jurisdiction. If it is, we will notify you of what action may be taken and, if necessary, schedule an inspection of the related property. This inspection usually takes place within two to four weeks of receipt of your complaint, depending upon our current workload.

A copy of your complaint and notice of your scheduled property inspection will be sent to the contractor with an admonition to resolve the complaint without further involvement of the Registrar. If, after this notification to the contractor, the problem is not resolved, our construction inspector will go ahead with an inspection.

To determine if there are violations of the Contractor’s License Law, the construction inspector

will interview you, the contractor and any other parties who can furnish information. The inspector will also look at any work performed and review any documents relating to your project. The inspector will then determine what action needs to be taken by the contractor, and a written directive will be issued. If the contractor refuses or is unable to take corrective action, you may then request a formal hearing to resolve the issue.

Under certain circumstances and in lieu of a formal hearing, you may qualify for mediation services provided free of charge by the Registrar of Contractors through the Community Relations Unit of the Attorney General’s office. A proven violation of the Contractor’s License Law may result in the probation, suspension or revocation of the contractor’s license, as well as possible civil penalties up to \$500. In addition, the contractor may be required to make repairs or replace defective construction work.

The Registrar of Contractors offers one way to resolve your problems with a licensed contractor, however, we are not a substitute for the courts. If the Residential Contractor’s Recovery Fund is not an available option or if your losses exceed its limits, and your primary interest is to obtain restitution rather than having poor workmanship corrected, you should consider filing a civil court action.

If you contemplate legal action to recover damages of less than \$5,000, contact the Justice Court which is usually listed in the telephone book under County Governments. If you seek restitution for damages of \$5,000 or more, you must file your action in Superior Court, which may require the services of an attorney. You do not have to wait for the Registrar to complete its action before filing suit in court.